

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
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	:	
-v-	:	21-cr-577 (JSR)
	:	
MAY SALEHI,	:	<u>ORDER</u>
	:	
Defendant.	:	
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JED S. RAKOFF, U.S.D.J.

Defendant May Salehi raised further objections to the Pre-Sentence Investigation Report, ECF No. 25, to which the Government submitted a written response, ECF No. 27. The Court concludes as follows:

- **PSR ¶ 18:** At the end of the second sentence in this paragraph ("Specifically, on or about . . . for the Bermuda Project."), the following footnote should be added: "There were two subsequent amendments to the solicitation, one of which extended the due date for bids." The defense's proposed modification of this paragraph is otherwise rejected.
- **PSR ¶ 22:** The defense's proposed modification of this paragraph is rejected.
- **PSR ¶ 30:** The heading of this paragraph should be changed to "Gain/Loss Calculations Under the Sentencing Guidelines." The

defense's proposed modification of this paragraph is otherwise rejected.

- **PSR ¶ 31:** This paragraph should be replaced with the following: "Montage raised its bid by \$917,820 after Salehi provided confidential inside information." The defense's proposed modification of this paragraph is otherwise rejected.
- **PSR ¶ 38:** This paragraph should be replaced with the following: "SALEHI was arrested on September 20, 2021, following her voluntary surrender. SALEHI admitted that, as a public official, she breached her duty of honest services to the U.S. State Department by providing confidential inside bidding information to a contractor. SALEHI received \$60,000 in kickbacks as a result, and under the plea agreement, SALEHI stipulated to a gain/loss amount (under the U.S. Sentencing Guidelines) of between \$550,000 and \$1,500,000." The defense's proposed modification of this paragraph is otherwise rejected.
- **PSR ¶ 39:** This paragraph should be replaced with the following: "The provisions of the Mandatory Victim Restitution Act of 1996 apply to this Title 18 offense subject to establishing (i) an identifiable victim; (ii) an actual pecuniary loss that was sustained; and (iii) the amount of

the actual pecuniary loss, subject to the procedures set forth in 18 U.S.C. Section 3664. The Government stated that the victim is the State Department who suffered a loss of \$917,820 as a result of the defendant's conduct. The Court declined to order restitution on the facts of this particular case." The defense's proposed modification of this paragraph is otherwise rejected.

- **PSR ¶ 45:** The Court approves the defense's proposed modification: the second sentence of this paragraph -- "Specifically, the loss was \$1,492,820." -- should be stricken.
- **PSR ¶ 111:** This paragraph should be replaced with the following: "The Government sought restitution under 18 U.S.C. § 3663A, but the Court declined to order restitution on this particular record." The defense's proposed modification of this paragraph is otherwise rejected.

The Probation Officer is directed prepare an amended PSR.

SO ORDERED.

Dated: New York, NY  
April 25, 2022

  
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JED S. RAKOFF, U.S.D.J.